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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/444,359	11/18/1999	DONALD E. GILLESPIE	USW#1674	8540

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EXAMINER

NGUYEN, TU X

ART UNIT PAPER NUMBER

2682

DATE MAILED: 03/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/444,359

Applicant(s)

GILLESPIE ET AL.

Examiner

Tu X Nguyen

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10, 13-26, 29-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al. (US patent 6,230,017)

As to claim 1, Anderson et al. disclose a method for processing communication services for a mobile subscriber associated with a wireless network, the method comprising:

Defining location-dependent rules associated with at least one communication service subscribed to by the mobile subscriber (see abstract).

Determining a current location of the mobile subscriber (see col.6 lines 2-7); and processing the communication services based on the location-dependent rules and the current location of the mobile subscriber (see col.6 lines 38-51).

As to claim 17, Anderson et al. disclose a system for processing communication services for a mobile subscriber associated with a wireless network, the system comprising:

A database (HLR) for storing location-dependent rules associated with at least one communication service subscribed to by the mobile subscriber (see col.4 lines 56-60); and

Service logic (30a, 30b) for determining a current location of the mobile subscriber and generating call processing instructions for processing the communication services based on the location-dependent rules and the current location of the mobile subscriber (see col.6 lines 7-10).

As to claims 2 and 18, Anderson et al. disclose everything as to claim 1 and 17 above, Anderson et al. further disclose wherein the location-dependent rules comprises:

Defining at least one geographic area associated with the mobile subscriber (see col.2 lines 57-60); and

Defining rules for processing the at least one communication service for the mobile subscriber when the mobile subscriber is in the at least one geographic area (see col.4 lines 56-59).

As to claims 3 and 19, Anderson et al. disclose everything as to claim 2 and 18 above, Anderson et al. further disclose wherein defining the at least one geographic

area includes defining a dynamic area dependent on the instantaneous location of the subscriber (see col.2 lines 35-39)

As to claims 4 and 20, Anderson et al. disclose everything as to claim 3 and 19 above, Anderson et al. further disclose wherein defining the dynamic geographic area includes generating a signal indicating a general geographic area dependent on the current location of subscriber (see col.10 lines 45-49).

As to claims 5 and 21, Anderson et al. disclose everything as to claim 2 and 18 above, Anderson et al. further disclose wherein defining the at least one geographic area includes defining at least one static predetermined geographic area independent of the current location of the subscriber (see col.2 lines 30-35).

As to claims 6 and 22, Anderson et al. disclose everything as to claim 5 and 21 above, Anderson et al. further disclose wherein defining the at least one static geographic area includes selecting a predetermined known geographic area (see col.2 lines 30-35).

As to claims 7 and 23, Anderson et al. disclose everything as to claim 5 and 21 above, Anderson et al. further disclose wherein defining the at least one static geographic area includes defining a general geographic area dependent upon a known geographic location (see col.5 lines 25-37).

As to claims 8, Anderson et al. disclose everything as to claim 1 above, Anderson et al. further disclose wherein the wireless network includes at least one base station at a known location for communicating with the mobile subscriber and wherein determining the current location of the mobile subscriber comprises:

Receiving a signal from the mobile subscriber (see col.6 lines 5-8); and

Determining the location of the mobile subscriber based on the signal from the mobile subscriber and the known location of the at least one base station (see col.6 lines 10-19).

As to claim 9, Anderson et al. disclose everything as to claim 8 above, Anderson et al. further disclose wherein receiving the signal includes continuously receiving the signal from the wireless subscriber (see col.6 lines 2-7).

As to claim 10, Anderson et al. disclose everything as to claim 8 above, Anderson et al. further disclose wherein receiving the signal includes receiving the signal from the wireless subscriber in response to a prompt from the wireless network (see col.6 lines 2-7).

As to claim 13, Anderson et al. disclose everything as to claim 8 above, Anderson et al. further disclose wherein receiving the signal includes receiving signal

propagation timing information from the mobile subscriber (see col.7 lines 43-50)
restricted times list correspond to propagation time.

As to claims 14, Anderson et al. disclose everything as to claim 1 above,
Anderson et al. further disclose wherein processing the communication services
comprises:

Receiving an outgoing call from the mobile subscriber; and

Processing the outgoing call base on the location-dependent rules and the
current location of the subscriber (see col.6 lines 52-62).

As to claim 15, Anderson et al. disclose everything as to claim 1 above,
Anderson et al. further disclose wherein processing the communication services
comprises:

Receiving an incoming call for receipt by the mobile subscriber; and

Processing the incoming call based on the location-dependent rules and the
current location of the subscriber (see col.6 lines 52-62).

As to claim 16, Anderson et al. disclose everything as to claim 1 above,
Anderson et al. further disclose wherein the method comprising:

Determining supplemental subscriber information from the mobile subscriber;
and (see col.2 lines 58-67).

Wherein processing the communication services further comprises processing the communication services based on the supplemental subscriber information, the current location of the subscriber and the location-dependent rules (see col.4 lines 53-56).

As to claim 24, Anderson et al. discloses everything as to claim 17 above, Anderson et al. further disclose wherein the wireless network includes at least one base station (50) at a known location for communicating with the mobile subscriber (see col.6 lines 2-7) and wherein the service logic, in determining the current location of the wireless, is further operative to receive signal from the mobile subscriber, and determine the location of the mobile subscriber based on the signal from the mobile subscriber and the know location of the at least one base station (see col.6 lines 1-9).

As to claim 25, Anderson et al. disclose everything as to claim 24 above, Anderson et al. further disclose wherein the service logic, in receiving the signal, is further operative to continuously receive the signal from the mobile subscriber (see col.6 lines 5-15).

As to claim 26, Anderson et al. disclose everything as to claim 24 above, Anderson et al. further disclose wherein the service logic, in receiving the signal, is further operative to receive the signal from the mobile subscriber in response to a

prompt by the service logic (see col.10 lines 51-54), *subscriber rescinding the request correspond to the service logic further operative to receive the signal.*

As to claim 29, Anderson et al. disclose everything as to claim 24 above, Anderson et al. further disclose wherein the service logic, in receiving the signal, is further operative to receive signal propagation timing information from the mobile subscriber (see col.7 lines 42-50).

As to claim 30, Anderson et al. disclose everything as to claim 17 above, Anderson et al. further disclose wherein the service logic, in processing the communication devices, is further to receive an outgoing call from the mobile subscriber, and process the outgoing call based on the location-dependent rules and the current location of the subscriber (see col.6 lines 52-62).

As to claim 31, Anderson et al. disclose everything as to claim 17 above, Anderson et al. further disclose wherein the service logic, in processing the communication services, is further operative to receive an incoming call for receipt by the mobile subscriber, and process the incoming call based on the location-dependent rules and the current location of the subscriber (see col.6 lines 52-62).

As to claim 32, Anderson et al. disclose everything as to claim 17 above, Anderson et al. further disclose wherein the service logic is further operative to

determine supplemental subscriber information from the mobile subscriber and process the communication services based on the supplemental subscriber information, the current location of the subscriber and the location-dependent rules (see col.4 lines 53-56).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-12 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. in view of Valentine et al. (US Patent 6,011,973).

As to claims 11 and 27 Anderson et al. disclose everything claimed as applied to claim 1 and 17 above, however fails to explicitly disclose wherein receiving the signal includes receiving a Global Positioning Signal from the mobile subscriber.

In an analogous art, Valentine et al. disclose wherein it is advantageous to include wherein receiving the signal includes receiving a Global Positioning Signal from the mobile subscriber (see col.2 lines 40-41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of

Anderson et al. such that receiving the signal includes receiving a Global Positioning Signal from the mobile subscriber for the purpose of enable the system to make call management decision base on a position of the mobile unit

As to claims 12 and 28, Anderson et al. disclose everything claimed as applied to claim 1 and 17 above, however fails to explicitly disclose wherein receiving the signal includes receiving a strength of the signal from the mobile subscriber.

In an analogous art, Valentine et al. disclose wherein it is advantageous to include receiving strength of the signal from the mobile subscriber (see col.1 lines 20-22). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Anderson et al. such that receiving a strength of the signal from the mobile subscriber for the purpose of strong communication link between mobile subscriber and base station.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Nguyen whose telephone number is (703) 305-3427. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin, can be reached at (703) 308-6739.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service Office at (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

TN
February 26, 2002



VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600